

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Nathaniel E. DAVID

Serial Number: 10/591,934

Filing Date: September 6, 2006

Title: COMPOSITIONS AND METHODS FOR
PREVENTING AND TREATING SKIN
AND HAIR CONDITIONS

Group Art Unit: 1618

Examiner: Unassigned

CONFIRMATION NO: 4597

FILED ELECTRONICALLY ON: April 23, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97

Sir:

Applicant hereby submits an Information Disclosure Statement along with attached form PTO/SB/08. A copy of each listed publication is submitted, if required, pursuant to 37 CFR §§1.97-1.98, as indicated below.

Applicant respectfully requests that the listed information be considered by the Examiner and be made of record in the above-identified application. Applicant further requests that the Examiner initial and return the attached form PTO/SB/08 in accordance with MPEP §609.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

A. ☒ 37 CFR §1.97(b). This Information Disclosure Statement should be considered by the Office because:

☐ (1) It is being filed within 3 months of the filing date of a national application and is other than a continued prosecution application under §1.53(d);

-- OR --

☐ (2) It is being filed within 3 months of entry of the national stage as set forth in §1.491 in an international application;

-- OR --

☒ (3) It is being filed before the mailing of a first Office action on the merits;

-- OR --

☐ (4) It is being filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

B. ☐ 37 CFR §1.97(c). Although this Information Disclosure Statement is being filed after the period specified in 37 CFR §1.97(b), above, it is filed before the mailing date of the earlier of (1) a final office action under §1.113, (2) a notice of allowance under §1.311, or (3) an action that otherwise closes prosecution on the merits, this Information Disclosure Statement should be considered because it is accompanied by one of:

☐ a statement as specified in §1.97(e) provided concurrently herewith;

-- OR --

☐ a fee of \$180.00 as set forth in §1.17(p) authorized below, enclosed, or included with the payment of other papers filed together with this statement.

C. ☐ 37 CFR §1.97(d). Although this Information Disclosure Statement is being filed after the mailing date of the earlier of (1) a final office action under §1.113 or (2) a notice of allowance under §1.311, it is being filed before payment of the issue fee and should be considered because it is accompanied by:

i. a statement as specified in §1.97(e);

-- AND --

ii. a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this Statement.

D. ☐ 37 CFR §1.97(e). Statement.

☐ A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(c);

-- AND/OR --

☐ A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(d);

-- AND/OR --

☐ A copy of a dated communication from a foreign patent office clearly showing that the information disclosure statement is being submitted within 3 months of the filing date on the communication is provided in lieu of a statement under 37 C.F.R. § 1.97(e)(1) as provided for under MPEP 609.04(b) V.

E. ☐ Statement Under 37 C.F.R. §1.704(d). Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application that was received by an individual designated in § 1.56(c) not more than thirty (30) days prior to the filing of this information disclosure statement. This statement is made pursuant to the

requirements of 37 C.F.R. §1.704(d) to avoid reduction of the period of adjustment of the patent term for Applicant(s) delay.

F. ☒ 37 CFR §1.98(a)(2). The content of the Information Disclosure Statement is as follows:

☐ Copies of each of the references listed on the attached Form PTO/SB/08 are enclosed herewith.

-- OR --

☒ Copies of U.S. Patent Documents (issued patents and patent publications) listed on the attached Form PTO/SB/08 are NOT enclosed.

-- AND/OR --

☒ Copies of Foreign Patent Documents and/or Non Patent Literature Documents listed on the attached Form PTO/SB/08 are enclosed in accordance with 37 CFR §1.98 (a)(2).

-- AND/OR --

☐ Copies of pending unpublished U.S. patent applications are enclosed in accordance with 37 CFR §1.98(a)(2)(iii).

G. ☐ 37 CFR §1.98(a)(3). The Information Disclosure Statement includes non-English patents and/or references.

☐ Pursuant to 37 CFR §1.98(a)(3)(i), a concise explanation of the relevance of each patent, publication or other information provided that is not in English is provided herewith.

☐ Pursuant to MPEP 609(B), an English language copy of a foreign search report is submitted herewith to satisfy the requirement for a concise explanation where non-English language information is cited in the search report.

-- OR --

☐ A concise explanation of the relevance of each patent, publication or other information provided that is not in English is as follows: _____

☐ Pursuant to 37 CFR §1.98(a)(3)(ii), a copy of a translation, or a portion thereof, of the non-English language reference(s) is provided herewith.

H. ☐ 37 CFR §1.98(d). Copies of patents, publications and pending U.S. patent applications, or other information specified in 37 C.F.R. § 1.98(a) are not provided herewith because:

☐ Pursuant to 37 CFR §1.98(d)(1) the information was previously submitted in an Information Disclosure Statement for another application under which this application claims priority for an earlier effective filing date under 35 U.S.C. 120.

Application in which the information was submitted: _____

Information Disclosure Statement(s) filed on: _____

AND

☐ The information disclosure statement submitted in the earlier application complied with paragraphs (a) through (c) of 37 CFR §1.98.

- I. ☒ Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 30864-701.831).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: April 23, 2007

650 Page Mill Road
Palo Alto, CA 94304-1050
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Customer No. 021971

By: Peggy Radey

Peggy Radey, Reg. No. 57,258

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/591,934
				Filing Date	September 6, 2006
				First Named Inventor	Nathaniel E. David
				Art Unit	1618
				Examiner Name	Unassigned
Sheet	1	Of	5	Attorney Docket Number	30864-701.831

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US 2003/0139462	06/24/2003	Cheng et al.	
	2.	US 2005/0221402	10/06/2005	Barske et al.	
	3.	US 5,990,116	11/23/1999	Nussbaumer et al.	
	4.	US 6,335,336	01/01/2002	Anantanarayan et al.	
	5.	US 6,509,361	01/21/2003	Weier et al.	
	6.	US 6,565,904	05/20/2003	Roth	
	7.	US 6,610,688	08/26/2003	Liang et al.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NON PATENT LITERATURE DOCUMENTS				
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	8.	"Botox – Frequently Asked Questions." Available at www.botox.com/site/professionals . Accessed January 15, 2004. (pages 1-5)		
	9.	ADAMS, et al. U0126: An Effective Inhibitor of MAPK Activation in Neuronal Tissue. Neural Notes. 1999; Vol. V, Issue 1, pages 14-16.		
	10.	ALETSEE, et al. Ras/MEK But Not p38 Signaling Mediates NT-3-Induced Neurite Extension From Spiral Ganglion Neurons. Journal of the Association for Research In Otolaryngology. 2001; pages 377-387.		
	11.	BILLANTE, et al. Comparison of Neuromuscular Blockade And Recovery With Botulinum Toxins A and F. Muscle & Nerve. 2002; Vol. 26, pages 395-403.		
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	14.	DIEKMANN, et al. Analysis of the reticulon gene family demonstrates the absence of the neurite growth inhibitor Nogo-A in fish. Mol Biol Evol. 2005 Aug;22(8):1635-48.		
	15.	MU, et al. Synthesis, anticancer activity, and inhibition of tubulin polymerization by conformationally restricted analogues of lavendustin A. J Med Chem. 2003 Apr 24;46(9):1670-82.		
	16.	GIBNEY, et al. Cytoskeletal dynamics underlying collateral membrane protrusions induced by neurotrophins in cultured Xenopus embryonic neurons. J Neurobiol. 2003 Feb 5;54(2):393-405.		
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	18.	GUPTA, et al. Dietary antioxidant curcumin inhibits microtubule assembly through tubulin binding. FEBS J. 2006; 273(23):5320-32.	
	19.	GUPTA, et al. Oral Cyclosporine For The Treatment of Alopecia Areata. American Academy of Dermatology. 1990; Vol. 22, No. 2, Part 1, pages 242-250.	
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	24.	KRAJCIK, et al. Transplant From Balding and Hairy Androgenetic Alopecia Scalp Regrow Hair Comparably Well on Immunodeficient Mice. J Am. Acad. Dermatol. 2003; Vol. 48, No. 5, pages 752-759.	
	25.	KUPPENS, et al. Current State of the Art of New Tubulin Inhibitors in the Clinic. Current Clinical Pharmacology. 2006; 1(1):57-70.	
	26.	MARKUS, et al. Raf and Akt Mediate Distinct Aspects of Sensory Axon Growth. Neuron. 2002; Vol. 35, pages 65-76.	
	27.	MEDINA, et al. LAV694, a new antiproliferative agent showing improved skin tolerability vs. clinical standards for the treatment of actinic keratosis. Biochem Pharmacol. 2003 Nov 15;66(10):1885-95.	

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	28.	MIURA, et al. Partial Functional Recovery of Paraplegic Rat by Adenovirus-Mediated Gene Delivery of Constitutively Active MEK1. <i>Experimental Neurology</i> . 2000; Vol. 166, pages 115-126.	
	29.	NICHOLSON, et al. NPI-2358 is a tubulin-depolymerizing agent: in-vitro evidence for activity as a tumor vascular-disrupting agent. <i>Anticancer Drugs</i> . 2006 Jan;17(1):25-31.	
	30.	PHILPOTT, et al. Effects of Interleukins, Colony-Stimulating Factor and Tumour Necrosis Factor on Human Hair Follicle Growth in Vitro: a Possible Role For Interleukin-1 and Tumour Necrosis Factor- α in Alopecia Areata. <i>British Journal of Dermatology</i> . 1996; Vol. 135, pages 942-948.	
	31.	REATA. RTA 301: Peloruside-a Novel Microtubule Stabilizing Agent. Available at http://www.reatapharma.com/rta301.asp . Accessed March 19, 2007.	
	32.	ROSE, et al. Preclinical oral antitumor activity of BMS-185660, a paclitaxel derivative. <i>Cancer Chemother Pharmacol</i> . 2000;46(3):246-50.	
	33.	SJÖGREEN, et al. Mitogen Activated Protein Kinase Inhibition by PD98059 Blocks Nerve Growth Factor Stimulated Axonal Outgrowth From Adult Mouse Dorsal Root Ganglia In Vitro. <i>Neuroscience</i> . 2000; Vol. 100, No. 2, pages 407-416.	
	34.	SYNTA. STA-9584. (VASCULAR DISRUPTING AGENT). Available at http://www.syntapharma.com/PrdDiscoveryVTA.aspx . Accessed March 19, 2007.	
	35.	TANG, et al. Cytokines and Signal Transduction Pathways Mediated By Anthralin in Alopecia Areata-Affected Dundee Experimental Balding Rats. <i>The Society For Investigative Dermatology, Inc.</i> 2003; Vol. 8, No. 1, pages 87-90.	
	36.	VAUDRY, et al. Signaling Pathways For PC12 Cell Differentiation: Making The Right Connection. <i>Science</i> . 2002; Vol. 296, pages 1648-1649.	
	37.	WILLIAMS, et al. Lead Enhances NGF-Induced Neurite Outgrowth in PC12 Cells by Potentiating ERK/MAPK Activation. <i>NeuroToxicology</i> . 2000; Vol. 21, No. 6, pages 1081-1090.	

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	38.	ZENG, et al. Design of Inhibitors of Ras-Raf Interaction Using a Computational combinatorial Algorithm. Protein Engineering Design and Selection. 2001; Vol. 14, No. 1, printed from website www.peds.oupjournals.org/cgi on January 21, 2004, pages 1-14.	

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